

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**TELOS HOLDINGS, INC.
d/b/a POINT CLASSICS**

Plaintiff,

v.

**S.A.A.R. SrL, and
BELIEVE DIGITAL**

Defendants.

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**Civil Action No.: 3:14-0957
JURY DEMAND**

**PLAINTIFF'S MOTION FOR RESCHEDULING OF
INITIAL CASE MANAGEMENT CONFERENCE**

COMES NOW the Plaintiff, Telos Holdings, Inc. d/b/a Point Classics ("Point Classics") pursuant to Federal Rule of Civil Procedure 4(m) and Local Rule 16.01, and hereby files this motion to postpone/reschedule the initial case management conference resulting from the time required to serve a foreign defendant. In support thereof, Plaintiff represents as follows:

1. On April 8, 2014, Plaintiff filed a complaint seeking a declaratory judgment as to its ownership of certain copyrights, an accounting, and damages for copyright infringement against Defendants S.A.A.R, SrL and Believe Digital. Defendant S.A.A.R., SrL ("SAAR") is a company located in Italy that does business worldwide.

2. On April 9, 2014, the Court issued a summons as to SAAR (the "Summons").

3. On April 9, 2014, this Court issued a Notice of Setting of Initial Case Management Conference, which is currently set to take place on June 9, 2014 at 10:00AM.

4. On April 21, 2014, Plaintiff emailed a request for waiver of service to SAAR's local counsel, Gianpietro Quiriconi in Milan.

5. Defendant's counsel responded via email on April 23, 2014, with a signed copy of the Waiver of Service of Summons. A true and correct copy is attached hereto as **Exhibit A**.

6. Pursuant to the Waiver of Service of Summons, Defendant SAAR has until July 21, 2014, to file and serve its Answer or a Motion under Rule 12.

RELIEF REQUESTED

7. By this Motion, the Plaintiff respectfully requests that the initial case management conference be postponed and/or rescheduled to a date after July 21, 2014.

8. Defendant SAAR does business worldwide, but is located in Italy. While Defendant SAAR's local counsel has had initial conversations with a litigation attorney in Nashville, that attorney has not yet been formally retained.

9. Plaintiff is still in the process of attempting to serve Believe Digital.

10. Based on these timeline estimates, the current date for the initial case management conference is set to occur well before the parties anticipate having an Answer or other Motion served and filed by Defendants.

11. Plaintiff submits that good cause exists to postpone/reschedule the date for the initial case management conference due to the time allowed for Defendant SAAR to file and serve its Answer.

12. This Motion is made in good faith and is not interposed for the purpose of delay.

13. The parties will not be harmed or prejudiced by the granting of this Motion.

14. Should Defendant SAAR retain local Nashville counsel and file its Answer or Motion sooner than expected, Counsel for the Plaintiff will advise the Court accordingly and will have no objection to an earlier initial case management conference date.

WHEREFORE, the Plaintiff respectfully requests that this Court enter an Order (1) postponing and/or rescheduling the initial case management conference currently set for June 9, 2014 to a date beyond July 21, 2014, and (2) for such other relief as this Court deems just and proper.

Respectfully submitted this 28th day of April, 2014.

**KELLER TURNER RUTH
ANDREWS GHANEM & HELLER, PLLC**

By: /s/ Jason L. Turner
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CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2014, a true and correct copy of the foregoing has been served upon the following via U.S. Mail, first-class postage pre-paid and/or electronic email:

Gianpietro Quiriconi
Studio Legale Quiriconi
Via Francesco Sforza 14
20122 Milano ITALY
Via Email: quiriconi@tiscali.it

Samuel D. Lipshie (pending local counsel for Defendant SAAR)
Bradley Arant Boult Cummings, LLP
1600 Division Street, Suite 700
Nashville, TN 37203
Via Email: slipshie@babco.com

Believe Digital
Attn: Shane German
119 Ingraham Street
Brooklyn, NY 11237
Via Email: shane@believedigital.com

/s/ Jason L. Turner

Jason L. Turner